App. F. IX-4

Previous References.
W 22-43-9 & 10.

1943-44 (War)

W File No. 22-43.

Serial Nos. 31 & 32

Later References.

P 8

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two only

Part B for March 1944

SUBJECT

Amendments to the Defence of India Rules.

M. Krishnan
5.4.44.

Amendment to the Defence (Trade) Rules

Rule 126.

Continuation Sheet. 2274 / W.W File No. / Current No. 22 of 43-44 Page.

A

The amendment to Rule 126 referred to by Mr. Bevan as replied in Mysore to-day. Subject to a drafting Note covering the Rule on similar lines for orders. In adopting amendment to clause (b) of Rule 126(1) the word "record" was omitted. Since that word is omitted in the present notice also.

K. AS 17/3

Draft may be approved

L 23/3

for approval -

Min Edn
Min Sec Law

WO 22/3/44

23-3-44

WO
23/3/44
for approval

32 Issued No. W 2274 d 24.3.44 to Compiler
Memo. No. W 2280-81 to Secy. Supplies Dept.
Dy. of Civil Supplies.

9597 17 MAR 1944

SECY. 2

OFFICE OF THE HIGH COMMISSIONER FOR INDIA
Date 23/3/44.
No. 225

B.A.
23/3

C277-43 Pol 1677
W 22-43-31

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE.

2274/W

Bangalore, the 6th March 1944.

No.F.42(3)-43/W.

A copy of the undermentioned paper is forwarded to the

Secretary to the Government of His Highness the Maharaja of Mysore, Development Dept. (Supplies), Bangalore,

for information.

D. No 6076/W

By order, etc.,

SECRETARY TO THE RESIDENT.

- - - -

Endorsement from the Government of India, Department of Food, No.CG-604/81, dated the 21st February 1944, with enclosures.

No.CG-604/81.
Government of India.
Department of Food.

- - -

New Delhi, the 21st February 1944.

From

N.T, Mone, Esqr., I.C.S.,
Deputy Secretary to the Govt. of India.

To

The Secretary to the Government of Pubjab,
Supplies & Transport Department, Lahore.

Subject:- Power to stop and search pack animals - amendment of D.I. Rules so as to secure.

- - -

Sir,

With reference to your letter No.9781-ST(FG)43/75814 dated the 19th November, 1943, on the subject noted above, I am directed to say that the necessary amendment has been made in rule 126 of the Defence of India Rules, vide Defence Department Notification No.5-DC(16)/43 dated the 29th Jany. 1944, published in the Gazette of India of that date. A copy of that is enclosed for ready reference.

I have the honour to be, Sir,
Your most obedient servant,
Sd/- N.T.Mone,
DY.SECRETARY TO THE GOVT. OF INDIA.

- - - - -

Copy of letter No.9781-ST(FG)-43/75814, dated the 19th November 1943, from the Government of Puhjab, Supplies and Transport Department, to Department of Food, New Delhi.

...

Subject:- Rule 126(1) (a) of the Defence of India Rules.

I am directed to address you on this subject and to propose an amendment in the above rule, which in its present form is causing some difficulty in the administration of food matters. The relevant words in this rule which it is proposed should be modified are -

"stop and search any vessel found in inland Waterways or any vehicle as defined in Clause (a) of sub-rule (1) of rule 89."

It will be noticed that this rule confers powers to search vessels and vehicles but does not confer powers to search animals, when foodgrains are discovered being

p.t.o

surreptitiously taken out of the Province to neighbouring Provinces and States on the backs of pack animals. It is, therefore, very necessary that the rule quoted above should be amended to include the power to stop and search pack animals. By way of analogy, your attention is invited to section 47 of the Punjab Excise Act (1914 Pby Act.I), the relevant words of which read as follows:-

> "and may detain and search any person under whom, and any vessel, raft, vehicle, animal, package, receptacle, or covering in or upon which he may have reasonable cause to suspect any such article to be" - - -

It is suggested that an amendment somewhat along the above lines should be made in the Defence of India Rules to meet the case.

C. F. 74.]

WD 01547—GPB—40,000– 9-12-42

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for ~~payment~~ permanent record.]

This relates to issuing an amendment to Rule 126 of Defence of Persia Rules to include the power to stop and search animals taking food grains surreptitiously. It seems necessary that an amendment somewhat along the above lines should be made in the Defence of Persia Rules as applies to Fars.

This may therefore be referred to War Section for necessary action.

11/3/42

The D.C.S. may be consulted re the amendment

Dec. Secy 11/3/42

Secretariat from War Section stating a similar amendment was made in

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

C. F. 74. B 6076.

G 6076

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

matter may be dealt with
here.

C
1572.

Under Secy Rer + Nat
10.C

D/155
1573
L

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Appendix F. G.—1]

SUBJECT.....

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Diary No. of letter replied to...2274/W

General and Revenue Secretariat

( )

the 194 .

Date of issue... 24.3.44.

Signed by...Mr. S. K. V.

List of enclosures.....

Copied by.....

Examined by.....

abs

Section War

File No. 22-43

Serial No. 32.

No. W 2279.

To Notification

In exercise of the powers conferred by Sec 2 of the Defence Activities Act, 1939 (XXXV of 1939) as applied to Mysore, a draft of which Notification was published at page 126 of the Mysore Gazette dated 24th March 1944, the Government of Mysore is pleased to direct that the following further amendments shall be made in the Defence Activities Rules in force in Mysore, Namely:—

In Schedule (I) to rule 126 of the said Rules,—

(i) in clause (a) for the words bracket and letter "as defined in clause (a) of" the words "or animal as defined in" shall be substituted;

(ii) in clause (b) for the words

~~Vessel~~ or "Vehicle" the words "Vessel, ~~Vessel~~ "Vehicle or animal" shall be substituted.

B.O.T.
22/3/07

Chief Secretary to Govt
19/3/07

The Compositor MS for publication as a Supplement for printing 100 copies to be sent 25 to the ISP and 25 to each of the DCs.
Memo Nos. W 2280-81 & 24-3-07

3 Copies to Secy Public Works Dept
Dy Commr Dumbarton